

331.440 Mental health, mental retardation, and developmental disabilities services — central point of coordination process — state case services.

1. a. For the purposes of this section, unless the context otherwise requires, “*central point of coordination process*” means a central point of coordination process established by a county or consortium of counties for the delivery of mental health, mental retardation, and developmental disabilities services which are paid for in whole or in part by county funds. The central point of coordination process may include but is not limited to reviewing a person’s eligibility for services, determining the appropriateness of the type, level, and duration of services, and performing periodic review of the person’s continuing eligibility and need for services. Any recommendations developed concerning a person’s plan of services shall be consistent with the person’s unique strengths, circumstances, priorities, concerns, abilities, and capabilities. For those services funded under the medical assistance program, the central point of coordination process shall be used to assure that the person is aware of the appropriate service options available to the person.

b. The central point of coordination process may include a clinical assessment process to identify a person’s service needs and to make recommendations regarding the person’s plan for services. The clinical assessment process shall utilize qualified mental health professionals and qualified mental retardation professionals.

c. The central point of coordination and clinical assessment process shall include provision for the county’s participation in a management information system developed in accordance with rules adopted pursuant to subsection 4.

2. For the purposes of this section, unless the context otherwise requires:

a. “*Adult person*” means a person who is age eighteen or older and is a United States citizen or a qualified alien as defined in 8 U.S.C. § 1641.

b. “*County of residence*” means the county in this state in which, at the time an adult person applies for or receives services, the adult person is living and has established an ongoing presence with the declared, good faith intention of living for a permanent or indefinite period of time. The county of residence of an adult person who is a homeless person is the county where the homeless person usually sleeps.

c. “*Homeless person*” means the same as defined in section 48A.2.

d. “*State case services and other support*” means the mental health, mental retardation, and developmental disabilities services and other support paid for under the rules and requirements in effect prior to October 1, 2006, from the annual appropriation made to the department of human services for such services and other support provided to persons who have no established county of legal settlement or the legal settlement is unknown so that the person is deemed to be a state case. Such services and other support do not include medical assistance program services or services provided in a state institution.

3. The department of human services shall seek federal approval as necessary for the central point of coordination and clinical assessment processes to be eligible for federal financial participation under the medical assistance program. A county may implement the central point of coordination process as part of a consortium of counties and may implement the process beginning with the fiscal year ending June 30, 1995.

4. a. An application for services may be made through the central point of coordination process of an adult person’s county of residence. Effective July 1, 2007, if an adult person who is subject to a central point of coordination process has legal settlement in another county, the central point of coordination process functions relating to the application shall be performed by the central point of coordination process of the person’s county of residence in accordance with the county of residence’s management plan approved under section 331.439 and the person’s county of legal settlement is responsible for the cost of the services or other support authorized at the rates reimbursed by the county of residence.

b. The county of residence shall determine whether or not the person’s county of legal settlement has implemented a waiting list in accordance with section 331.439, subsection 5. If the person’s county of legal settlement has implemented a waiting list, the services or other support for the person shall be authorized by the county of residence in accordance with the county of legal settlement’s waiting list provisions.

c. At the time services or other support are authorized, the county of residence shall send the county of legal settlement a copy of the authorization notice.

5. Effective October 1, 2006, if an adult person has no established county of legal settlement or the legal settlement is unknown so that the person is deemed to be a state case, the person's eligibility and the authorization for state case services and other support shall be determined by the adult person's county of residence in accordance with that county's management plan approved under section 331.439. The costs of the state case services and other support provided for the person shall be the responsibility of the person's county of legal residence. The funding appropriated to the department of human services for purposes of the state case services and other support shall be distributed as provided in the appropriation to the counties of residence responsible for the costs.

6. The state commission shall consider the recommendations of county representatives in adopting rules outlining standards and requirements for implementation of the central point of coordination and clinical assessment processes on the date required by subsection 3. The rules shall permit counties options in implementing the process based upon a county's consumer population and available service delivery system.

7. This section is repealed July 1, 2013.

94 Acts, ch 1163, §4; 95 Acts, ch 206, §16; 96 Acts, ch 1183, §38; 2002 Acts, ch 1146, §18; 2004 Acts, ch 1090, §30; 2006 Acts, ch 1115, §16 – 19; 2007 Acts, ch 218, §81; 2011 Acts, ch 123, §25, 27

[SP] Methodology for distribution of funding for state case services; rules; cost projections; 2006 Acts, ch 1115, §19

[SP] 2009-2010 appropriation; 2009 Acts, ch 182, §24; 2010 Acts, ch 1181, §8, 13; 2010 Acts, ch 1182, §18, 36

[SP] 2010-2011 appropriation; 2010 Acts, ch 1192, §26

[SP] 2011-2012 and 2012-2013 appropriations; 2011 Acts, ch 129, §22, 135, 156

[T] NEW subsection 7